[29th November 1928

Mr. MUHAMMAD KHADIR MOHIDIN SAHIB :—" In view of the anxiety of the litigant public to have all the courts in one place, will the Government be pleased to state whether they would acquire the site mentioned or any other site they may think best ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" We will not acquire the site in question, but with regard to the other point whether the Government will acquire any other site, I want notice."

Accommodation for the Bar room of the District Court at Mangalore.

*850 Q.—Mr. K. R. KARANT: Will the hon. the Law Member be pleased to state—

(a) in what stage the question of providing additional accommodation for the Bar room of the District Court at Mangalore is at present ; and

(b) when it is proposed to start the work ?

A.—(a) & (b) The question is still under correspondence with the Executive Engineer and the District Judge, South Kanara.

Mr. K. R. KARANT :—" Will Government be pleased to expedite the matter ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" I believe the matter is being expedited. Government have already sent reminders on the subject."

Opening of an additional sub-court at Mangalore.

*851 Q.—Mr. K. R. KARANT: Will the hon. the Law Member be pleased to state—

(a) whether Government have come to any decision on the opening of an additional sub-court at Mangalore ; and

(b) if not, why not ?

A.—(a) & (b) The Government have sanctioned the appointment of an Additional Sub-Judge to the Sub-Court, Mangalore, with effect from the 1st December 1928.

District Munsifs holding appointments in their own districts.

*852 Q.—Mr. J. A. SALDANHA: Will the hon. the Law Member be pleased—

(a) to place before the Council a statement showing the names of the District Munsifs in this Presidency who are holding their appointments in their native districts and the number of years each has been within the same district during the last ten years ; and

(b) to state—

(i) whether there was a Government or High Court Standing Order that no District Munsif should as a rule be appointed within his own district ;

(ii) whether the practice of appointing District Munsifs within their own districts has been found by the Government or the High Court to be satisfactory ; and

(iii) whether any steps are contemplated by the Government or the High Court with a view to make appointments of District Munsifs as far away as possible from their own districts ?

29th November 1928]

A.—(*a*) The Government do not consider it worth while collecting the information which necessitates an elaborate enquiry.

(*b*) (i) & (ii) Under the Government Servants' Conduct Rules, an officer of the Provincial or Subordinate Civil Service is liable to be debarred from employment 'within the district or other local limits' within which he possesses immovable property. The transfers and postings of District Munsifs are made by the High Court and the Government have no reason to think that they are not made in accordance with this rule.

(iii) This question does not arise in view of the answer to questions (i) and (ii) above.

Criminal Justice

Action taken against Mr. White for causing the death of a man in the Harbour premises.

*853 *Q.*—Mr. C. S. GOVINDARAJA MUDALIYAR: Will the hon. the Law Member be pleased to state—

(*a*) whether he has perused the records of proceedings of the case against Mr. White which ended in his conviction for causing the death of a man in the Harbour premises;

(*b*) whether the hon. Member passed orders directing the Crown Prosecutor to take the matter to the High Court for the purpose of having the sentence enhanced;

(*c*) whether Europeans are specially privileged by the terms of licence or otherwise to practise rifle shooting in the precincts of the Harbour during day or night, and, if so, the reasons for the grant of the privilege; and

(*d*) whether Mr. White is still permitted to possess firearms under licence or otherwise?

A.—(*a*) Yes.

(*b*) The matter is under the consideration of the Government.

(*c*) No.

(*d*) Yes. Mr. White is permitted to possess his rifle under licence.

Mr. C. S. GOVINDARAJA MUDALIYR:—"With reference to the answer to clause (*d*), may I know the reasons why he is permitted to possess the licence in spite of the implications underlying his conviction?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"That question does not directly concern me, Sir. It concerns my hon. Colleague."

The hon. the PRESIDENT:—"The hon. Member will have to put a separate question to the hon. the Home Member."

Dr. B. S. MALLAYYA:—"May I know from the hon. the Home Member what made him not to withdraw the licence from this gentleman?"

The hon. the PRESIDENT:—"The hon. Member will have to put a separate question."

Mr. DANIEL THOMAS:—"May I know what the sentence was in this case?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"It is a fine, I think."

Mr. G. HARISARVOTTAMA RAO:—"May I know if the hon. Member made any recommendation to the hon. the Home Member to cancel his licence?"